
Local Government Committee

HB 1239

Brief Description: Modifying provisions affecting water supply comprehensive plans.

Sponsors: Representatives Simpson, Curtis and Moeller.

Brief Summary of Bill

- Requires a jurisdiction in which a water district is located to review the district's water supply system comprehensive plan for consistency with the jurisdiction's comprehensive plan, development regulations, Growth Management Act requirements, and the water system plan requirements of the State Board of Health.
- Requires that a water-sewer district's water supply system comprehensive plan be consistent with the requirements of the State Board of Health.

Hearing Date: 1/23/07

Staff: Jessica Nowakowski (786-7291).

Background:

Overview of Water-Sewer District Functions

Water-sewer districts (districts) provide water and sewer services to incorporated and unincorporated areas. Districts are established through a petition, public hearing, and voter approval process and are each managed by a board of three or five elected commissioners who serve staggered six-year terms. Two hundred and nine districts can be found throughout Washington.

Water-sewer district commissioners (commissioners) must evaluate the present and future needs of systems in their area and determine a long-term plan for financing construction, repairs, and other projects, including the creation of local improvement districts or utility local improvement districts. Commissioners must also determine whether the whole or part of the cost and expenses incurred for repairs and projects should be paid from revenue or general obligation bonds.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

General Comprehensive Plans By Water-Sewer Districts

Commissioners must evaluate certain water-sewer systems in order to create a general comprehensive plan. These systems include: water supply systems, sewer systems, drainage systems, and street lighting systems. Before ordering any improvements or submitting to vote any propositions for incurring any indebtedness, a general comprehensive plan must be adopted by the commission for the type or types of facilities the district proposes to provide. A district may prepare a separate general comprehensive plan for each of these services or combine any of the plans into a single general comprehensive plan. The commissioners may employ engineers and legal services to complete the requirements.

In order to receive approval, a water-sewer district comprehensive plan must meet Growth Management requirements and be approved by:

- An engineer designated by the legislative authority of the county in which 51 percent of the district is located;
- The director of the State Board of Health;
- Cities or towns included in the district; and
- Any other state agencies required.

Comprehensive Planning for Water Supply Systems

A water-sewer district must determine a general system or plan for acquiring an adequate water supply, including the lands, waters, water rights, and easements needed for a water supply system. A water supply system must also include a plan for retaining and storing any such waters including the construction of:

- Dams;
- Reservoirs;
- Aqueducts;
- Pipelines; and
- Fire hydrants.

State Board of Health Requirements for Water Systems

The State Board of Health (Board) must approve the water system plan of a public water system. In doing so, the Board must ensure that water service will be provided under plans for any new industrial, commercial or residential use. The comprehensive plans must remain consistent with Growth Management Act planning requirements or any other applicable comprehensive plan, land use plan, or development regulation adopted by a city, town, or county for the service area.

The Board must ensure that a municipal water supplier provides retail water service within its retail service area if:

- Its service can be available in a timely and reasonable manner;
- The municipal water supplier has sufficient water rights to provide the service;
- The municipal water supplier has sufficient capacity to serve the water in a safe and reliable manner as determined by the Department of Health; and
- It is consistent with the requirements of any applicable comprehensive plans or development regulations.

Summary of Bill:

A district's comprehensive water system plan must be consistent with the water system requirements of the State Board of Health before such plans may be implemented. In addition, a jurisdiction in which a water district is located is required to review the district's comprehensive plan for a water supply system for consistency with its comprehensive plan, development regulations, Growth Management Act requirements, and the water supply system requirements of the State Board of Health.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.